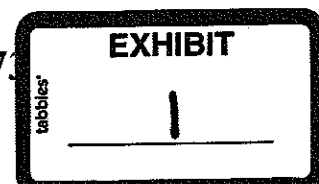


FREEDOM COURT REPORTING

<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE MIDDLE DISTRICT OF ALABAMA 3 NORTHERN DIVISION 4 5 RICARDO MATTHEWS, et al.,) 6 Plaintiffs,) 7 vs.) CASE NUMBER: 8 TOWN OF AUTAUGAVILLE,) 2:06-CV-185-MHT 9 et al.,) 10 Defendants.) 11 12 DEPOSITION OF RICARDO MATTHEWS 13 In accordance with Rule 5(d) of 14 The Alabama Rules of Civil Procedure, as 15 Amended, effective May 15, 1988, I, Cindy 16 Weldon, am hereby delivering to Rick Howard, 17 the original transcript of the oral 18 testimony taken on the 19th day of April, 19 2007, along with exhibits. 20 Please be advised that this is the 21 same and not retained by the Court Reporter, 22 nor filed with the Court. 23</p>	<p style="text-align: right;">Page 3</p> <p>1 AGREED that the signature to and the reading 2 of the deposition by the witness is waived, 3 the deposition to have the same force and 4 effect as if full compliance had been had 5 with all laws and rules of Court relating to 6 the taking of depositions. 7 IT IS FURTHER STIPULATED AND 8 AGREED that it shall not be necessary for 9 any objections to be made by counsel to any 10 questions, except as to form or leading 11 questions, and that counsel for the parties 12 may make objections and assign grounds at 13 the time of trial, or at the time said 14 deposition is offered in evidence, or prior 15 thereto. 16 IT IS FURTHER STIPULATED AND 17 AGREED that notice of filing of the 18 deposition by the Commissioner is waived. 19 20 21 22 23</p>
<p style="text-align: right;">Page 2</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE MIDDLE DISTRICT OF ALABAMA 3 NORTHERN DIVISION 4 5 RICARDO MATTHEWS, et al.,) 6 Plaintiffs,) 7 vs.) CASE NUMBER: 8) 2:06-CV-185-MHT 9 TOWN OF AUTAUGAVILLE,) 10 et al.,) 11 Defendants.) 12 13 STIPULATION 14 IT IS STIPULATED AND AGREED, by 15 and between the parties through their 16 respective counsel, that the deposition of 17 RICARDO T. MATTHEWS, may be taken before 18 Cindy Weldon, Certified Shorthand Reporter, 19 Commissioner and Notary Public, at the 20 offices of Nix, Holtsford, 4001 Carmichael 21 Road, Montgomery, Alabama, on April the 22 19th, 2007 at 9:00 a.m. 23 IT IS FURTHER STIPULATED AND</p>	<p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S 2 3 FOR THE PLAINTIFF: 4 MR. JIM DEBARDELABEN 5 DEBARDELABEN, WESTRY 6 1505 MADISON AVENUE 7 MONTGOMERY, ALABAMA 36107 8 9 FOR THE DEFENDANT: 10 MR. RICK HOWARD 11 NIX, HOLTSFORD 12 4001 CARMICHAEL ROAD 13 MONTGOMERY, ALABAMA 36106 14 15 ALSO PRESENT: 16 MR. LEVAN JOHNSON 17 18 19 20 21 22 23</p>

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<p>1 INDEX</p> <p>2</p> <p>3 EXAMINATION BY: PAGE</p> <p>4 MR. HOWARD 6, 87, 90</p> <p>5 MR. DEBARDELABEN 84, 90</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p>1 lawsuit, some questions about your</p> <p>2 background, just some general questions.</p> <p>3 If you don't understand my</p> <p>4 question, you're free to say I need to take</p> <p>5 a break, talk to Jim. If you need me to</p> <p>6 repeat my question, just let me know.</p> <p>7 If you answer the question, I'm</p> <p>8 going to assume that you understood it. If</p> <p>9 you need some water, coke, whatever, we'll</p> <p>10 get it for you.</p> <p>11 Also, when you answer your</p> <p>12 questions, I need you to speak up and</p> <p>13 verbalize your answer because if you shake</p> <p>14 your head, like I always do, she can't get</p> <p>15 it down.</p> <p>16 It has to be spoken so we can get</p> <p>17 it on paper. Okay? What is your social</p> <p>18 security number?</p> <p>19 A. 419-13-7062.</p> <p>20 Q. What is your date of birth?</p> <p>21 A. 6-20-81.</p> <p>22 Q. Do you know your driver's license</p> <p>23 number?</p>
Page 6	Page 8
<p>1 RICARDO T. MATTHEWS,</p> <p>2 after first being duly sworn, testified</p> <p>3 as follows:</p> <p>4 EXAMINATION BY MR. HOWARD:</p> <p>5 THE COURT REPORTER: Usual</p> <p>6 stipulations?</p> <p>7 MR. HOWARD: Yes, ma'am. That</p> <p>8 would be fine.</p> <p>9 MR. DEBARDELABEN: Yes, ma'am.</p> <p>10 Q. Could you please state your full</p> <p>11 name for me.</p> <p>12 A. Ricardo Tierre Matthews.</p> <p>13 Q. Would you spell your middle name.</p> <p>14 A. I doesn't use it. So I don't know</p> <p>15 how to spell it.</p> <p>16 Q. How about Ricardo T. Matthews?</p> <p>17 A. That's what I put on it.</p> <p>18 Q. Because I don't know how to spell</p> <p>19 it either. Mr. Matthews, my name is Rick</p> <p>20 Howard. I represent the defendants in this</p> <p>21 lawsuit.</p> <p>22 Today, I'm going to ask you some</p> <p>23 questions about your involvement in this</p>	<p>1 A. No, sir.</p> <p>2 Q. Do you have it with you?</p> <p>3 A. No.</p> <p>4 Q. Do you have a valid driver's</p> <p>5 license now?</p> <p>6 A. It have been suspended.</p> <p>7 Q. They're suspended right now? Is</p> <p>8 that a yes?</p> <p>9 A. Yes, sir.</p> <p>10 Q. That's one of those questions that</p> <p>11 I'll ask that you'll have to say yes or no</p> <p>12 so she can get it down.</p> <p>13 A. Yes, sir.</p> <p>14 Q. Your license are now suspended.</p> <p>15 When were they suspended?</p> <p>16 A. I do not remember.</p> <p>17 Q. Has it been this year?</p> <p>18 A. It wasn't this year.</p> <p>19 Q. Do you remember if it was last</p> <p>20 year?</p> <p>21 A. About two years ago.</p> <p>22 Q. Why was your license suspended?</p> <p>23 A. When I was like twenty-one,</p>

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<p style="text-align: right;">Page 9</p> <p>1 twenty, I had got a drug charge and they 2 suspended it and I never did get it 3 reinstated. 4 Q. Now, I'm going to have a lot of 5 questions about speeding tickets and 6 driver's license suspended. Typically, we 7 don't ask a lot of questions about that, but 8 that's what this case is about. 9 So I'm going to have to ask you a 10 lot of questions about your driving history 11 and your driver's license history and 12 particularly your involvement with the 13 Autaugaville police officers. Who arrested 14 you for that drug charge? 15 A. The drug charge? 16 Q. Just the -- Not the name of the 17 officer, which agency. 18 A. Autauga County. 19 Q. What were you charged with? 20 A. Distributing illegal substance. 21 Q. Did you have to go to jail for 22 that? 23 A. At the time, I did. But I didn't</p>	<p style="text-align: right;">Page 11</p> <p>1 distribution charge, they also took your 2 driver's license; is that correct? 3 A. Yes, sir. 4 Q. Where did you go to court on this 5 charge? 6 A. Autauga County. 7 Q. In Prattville? 8 A. In Prattville. 9 Q. Do you remember what judge you 10 had? 11 A. Woods. 12 Q. Were there any other charges 13 against you other than distribution? 14 A. That's it. 15 Q. Was this the first time that you 16 had ever been arrested before? 17 A. Yes, sir. 18 Q. And this occurred about two to 19 three years ago? 20 A. Yes, sir. 21 Q. This occurred after the speeding 22 tickets that you got in Autaugaville? 23 A. I never got a speeding ticket in</p>
<p style="text-align: right;">Page 10</p> <p>1 do no time. I did probation. They charged 2 me as a juvenile offender. 3 Q. Did you ever hear youthful 4 offender in all that? 5 A. Yes, sir. That's what a juvenile 6 offender is. 7 Q. Do you know whether or not that 8 was a felony? And a felony is a legal 9 word. If you don't know what it means, 10 that's okay. I'm just asking you what you 11 know. 12 A. Well, I don't know. I forgot what 13 they tried me with. That was so long ago. 14 Q. And that's fair enough. If you 15 don't know, I'm not asking you to guess 16 respectfully. 17 Do you know how long you would 18 have had to go to jail if you did not get 19 youthful offender status? 20 A. Thirty-nine months. 21 Q. How many? 22 A. Thirty-nine. 23 Q. And as a result of that</p>	<p style="text-align: right;">Page 12</p> <p>1 Autaugaville. 2 Q. You're right. Did this occur 3 after -- while you were -- you got a ticket 4 for driving while your license was 5 suspended? 6 A. Before. 7 Q. Okay. So when you were stopped in 8 Autaugaville, you did not have a driver's 9 license because of the drug charge? 10 A. Right. 11 Q. I show those tickets in 12 Autaugaville to be in 2004; is that correct? 13 A. Yes, sir. 14 Q. So the drug charges would have 15 been probably three or four years ago; is 16 that correct? 17 A. Yes, sir. 18 Q. Other than the arrest by the 19 Autauga County Sheriff's Department and what 20 I show as four tickets, some of them for not 21 having a driver's license and some of them 22 for not having insurance, have you ever had 23 any other involvement with the police</p>

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<p style="text-align: right;">Page 13</p> <p>1 department?</p> <p>2 A. Talking about speeding tickets?</p> <p>3 Q. Well, yes. Have you ever had a</p> <p>4 speeding ticket before?</p> <p>5 A. One.</p> <p>6 Q. Where was that at?</p> <p>7 A. In Prattville. It was a state</p> <p>8 trooper. When I was sixteen.</p> <p>9 Q. Okay. Other than the tickets that</p> <p>10 you received from Autaugaville and the drug</p> <p>11 charge and the speeding ticket in</p> <p>12 Prattville, have you ever been stopped or</p> <p>13 questioned or anything by a policeman?</p> <p>14 A. No, sir.</p> <p>15 Q. How about a state trooper?</p> <p>16 A. No, sir.</p> <p>17 Q. How about a deputy sheriff?</p> <p>18 A. No, sir.</p> <p>19 Q. Any type of law enforcement?</p> <p>20 A. No type.</p> <p>21 Q. So sitting here today, I show that</p> <p>22 there's been four tickets in Autaugaville.</p> <p>23 Is that the best of your -- is that what you</p>	<p style="text-align: right;">Page 15</p> <p>1 driver's license back in the future?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Was there any time limit on how</p> <p>4 long your license was suspended from that</p> <p>5 drug charge?</p> <p>6 A. They gave me a time limit.</p> <p>7 Q. Do you know when that expires?</p> <p>8 A. They had gave me six months. Then</p> <p>9 I didn't get them. Then they suspended it</p> <p>10 again and I have to go and pay a big fine to</p> <p>11 get them back.</p> <p>12 Q. What's stopping you from getting</p> <p>13 it now?</p> <p>14 A. I just had a trailer fire. My</p> <p>15 house burnt down. I lost everything. So I</p> <p>16 was going to get them back, but that's --</p> <p>17 the accident happened and I just ain't able</p> <p>18 to get them back.</p> <p>19 Q. When did your house trailer burn</p> <p>20 down?</p> <p>21 A. Last month.</p> <p>22 Q. What was the address of that house</p> <p>23 trailer?</p>
<p style="text-align: right;">Page 14</p> <p>1 remember?</p> <p>2 A. Yes, sir.</p> <p>3 Q. You've had one speeding ticket in</p> <p>4 Prattville by a state trooper?</p> <p>5 A. Yes, sir.</p> <p>6 Q. And you've had the drug charge?</p> <p>7 A. Yes, sir.</p> <p>8 Q. There's been no other charges</p> <p>9 against you?</p> <p>10 A. I believe I got a ticket in</p> <p>11 Prattville for a driver's license suspended.</p> <p>12 Q. Anything else that you can think</p> <p>13 of?</p> <p>14 A. No, sir.</p> <p>15 Q. Do you currently drive your car</p> <p>16 without a driver's license now?</p> <p>17 A. Well, I've got my girl to take me</p> <p>18 where I've got to go. But I drive to work.</p> <p>19 My work is not far.</p> <p>20 Q. You do know it's illegal to drive</p> <p>21 a car without a license?</p> <p>22 A. I know it.</p> <p>23 Q. Do you have any plans to get your</p>	<p style="text-align: right;">Page 16</p> <p>1 A. 484 North Picket Street.</p> <p>2 Q. How long had you lived at North</p> <p>3 Picket Street?</p> <p>4 A. About a year.</p> <p>5 Q. Where did you live at before North</p> <p>6 Picket Street?</p> <p>7 A. Jones, Alabama.</p> <p>8 Q. Where is Jones, Alabama?</p> <p>9 A. It's like -- It's in Autauga</p> <p>10 County.</p> <p>11 Q. Do you remember your address in</p> <p>12 Jones, Alabama?</p> <p>13 A. 3390 Mitchell Drive, Jones,</p> <p>14 Alabama.</p> <p>15 Q. How long did you live at 3390</p> <p>16 Mitchell Drive?</p> <p>17 A. About two years.</p> <p>18 Q. Did you own the house trailer that</p> <p>19 burned last month?</p> <p>20 A. I was renting it.</p> <p>21 Q. What caused it to catch on fire?</p> <p>22 A. Old wires.</p> <p>23 Q. Was there any type of fire</p>

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<p style="text-align: right;">Page 17</p> <p>1 investigation?</p> <p>2 A. Not to my knowledge.</p> <p>3 Q. Did you own the house or trailer</p> <p>4 that was at 3390 Mitchell Drive?</p> <p>5 A. Yes, sir.</p> <p>6 Q. So that puts us back three years.</p> <p>7 Where did you live before the Mitchell Drive</p> <p>8 address?</p> <p>9 A. With my mother.</p> <p>10 Q. What was her address?</p> <p>11 A. 204 North Picket Street,</p> <p>12 Autaugaville, Alabama.</p> <p>13 Q. How long did you live at 204 North</p> <p>14 Picket Street?</p> <p>15 A. For about fifteen years.</p> <p>16 Q. For the last fifteen years, you've</p> <p>17 lived at three different locations; is that</p> <p>18 correct?</p> <p>19 A. Yes, sir. For the last</p> <p>20 twenty-five years.</p> <p>21 Q. That's right. I was cutting it a</p> <p>22 little short because I'm not too good at</p> <p>23 math.</p>	<p style="text-align: right;">Page 19</p> <p>1 Q. Why did you drop out?</p> <p>2 A. I had a son to take care of. I</p> <p>3 had to get a job.</p> <p>4 Q. Have you gone back and obtained</p> <p>5 your GED?</p> <p>6 A. I've taken it. But I failed it.</p> <p>7 Q. Do you plan to take it again?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Do you have any times set already</p> <p>10 for that test?</p> <p>11 A. No, sir.</p> <p>12 Q. Have you had any employment</p> <p>13 training or any type of training for jobs?</p> <p>14 A. What do you mean?</p> <p>15 Q. Sometimes you can go to trade</p> <p>16 school and sometimes you get training --</p> <p>17 A. No, sir.</p> <p>18 Q. -- by a company.</p> <p>19 A. Well, a company, I got trained</p> <p>20 from -- I worked for the Town for like five</p> <p>21 years and I was a pipe layer. They trained</p> <p>22 me to lay pipes.</p> <p>23 Q. We're going to talk about all the</p>
<p style="text-align: right;">Page 18</p> <p>1 During the time that you received</p> <p>2 the speeding tickets -- or not speeding</p> <p>3 tickets -- the traffic tickets in</p> <p>4 Autaugaville, you lived at 204 North Picket</p> <p>5 Street or 3390 Mitchell Drive?</p> <p>6 A. Right.</p> <p>7 Q. When you were arrested for the</p> <p>8 drug charge, did you live at 204 North</p> <p>9 Picket Street?</p> <p>10 A. Yes, sir.</p> <p>11 Q. What is your educational</p> <p>12 background?</p> <p>13 A. My educational background?</p> <p>14 Q. Where did you go to school and the</p> <p>15 training that you've had?</p> <p>16 A. I went to Autaugaville High to the</p> <p>17 ninth grade. I transferred to Prattville</p> <p>18 High tenth on and twelfth.</p> <p>19 Q. Did you graduate from Prattville?</p> <p>20 A. No, sir.</p> <p>21 Q. Why did you not graduate?</p> <p>22 A. I dropped out in the twelfth</p> <p>23 grade.</p>	<p style="text-align: right;">Page 20</p> <p>1 places that you worked. Is that all the</p> <p>2 education that you've had, has been</p> <p>3 Autaugaville High School, Prattville and I</p> <p>4 guess the study that you had for the GED?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Where do you currently work?</p> <p>7 A. Crystal Lake, a broom</p> <p>8 manufacturer.</p> <p>9 Q. Have you ever spoken to anyone at</p> <p>10 Crystal Lake about this lawsuit?</p> <p>11 A. I didn't have to. It was in the</p> <p>12 newspaper.</p> <p>13 Q. Well, I asked you, have you ever</p> <p>14 spoken to anyone at Crystal Lake about this</p> <p>15 lawsuit?</p> <p>16 A. My mother. She works there.</p> <p>17 Q. What's your mother's name?</p> <p>18 A. Janice Seborn.</p> <p>19 Q. Have you ever told anybody that</p> <p>20 you would drop it if it were not for your</p> <p>21 uncle?</p> <p>22 A. Have I ever told anybody that?</p> <p>23 Q. Yes.</p>

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<p>1 A. Yes.</p> <p>2 Q. Who did you tell that to?</p> <p>3 A. Chief.</p> <p>4 Q. Let me make sure the record is</p> <p>5 straight. You told the chief that you would</p> <p>6 drop this lawsuit if it were not for your</p> <p>7 uncle; is that correct?</p> <p>8 A. Yes, sir.</p> <p>9 Q. What is your uncle's name?</p> <p>10 A. Michael Matthews.</p> <p>11 Q. Why did you make that statement?</p> <p>12 A. For one, I was afraid.</p> <p>13 Q. Okay. Any other reasons?</p> <p>14 A. No other reason.</p> <p>15 Q. Have you ever told anybody at</p> <p>16 Crystal Lake that you would drop this</p> <p>17 lawsuit if it were not for Michael Matthews?</p> <p>18 A. No, sir.</p> <p>19 Q. How long have you worked at</p> <p>20 Crystal Lake?</p> <p>21 A. Three years.</p> <p>22 Q. What do you do at Crystal Lake?</p> <p>23 A. I'm a winder. I make mops.</p>	<p>1 A. All of it was the same. We did</p> <p>2 streets. It was a little town. We did</p> <p>3 everything.</p> <p>4 Q. That's what I was getting at. In</p> <p>5 small towns, you have one person that does</p> <p>6 it all?</p> <p>7 A. Right.</p> <p>8 Q. In big towns, you have different</p> <p>9 departments. Am I correct in saying that</p> <p>10 you were one of the guys that did</p> <p>11 everything?</p> <p>12 A. Right.</p> <p>13 Q. Why did you leave the town of</p> <p>14 Autaugaville?</p> <p>15 A. I was like missing days at work</p> <p>16 and different stuff just got me fired.</p> <p>17 Q. Okay. Why were you missing days</p> <p>18 at work?</p> <p>19 A. Like I said, my baby had came</p> <p>20 along and, you know, I wanted to spend time</p> <p>21 with my son.</p> <p>22 Q. Do you hold any ill feelings</p> <p>23 against the Town of Autaugaville for firing</p>
Page 22	Page 24
<p>1 Q. While you were -- In those three</p> <p>2 years at Crystal Lake, have you ever been</p> <p>3 disciplined for any reason?</p> <p>4 A. No, sir.</p> <p>5 Q. Have you ever failed any drug test</p> <p>6 while you were at Crystal Lake?</p> <p>7 A. No, sir.</p> <p>8 Q. Have you ever failed a drug test</p> <p>9 at all?</p> <p>10 A. No, sir.</p> <p>11 Q. Where did you work at before</p> <p>12 Crystal Lake?</p> <p>13 A. The Town of Autaugaville.</p> <p>14 Q. What did you do at the Town of</p> <p>15 Autaugaville?</p> <p>16 A. A majority of things. But I was</p> <p>17 like -- I fixed pipes.</p> <p>18 Q. Were all of your duties in the</p> <p>19 maintenance field?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Did you work for any -- like the</p> <p>22 street department or did you work for a</p> <p>23 separate department?</p>	<p>1 you?</p> <p>2 A. What do you mean?</p> <p>3 Q. Are you mad at the Town of</p> <p>4 Autaugaville for firing you?</p> <p>5 A. No, I ain't mad at them. Me and</p> <p>6 all the employees and employers, we still,</p> <p>7 you know, no problem.</p> <p>8 Q. Do you understand -- Well, let me</p> <p>9 back up. Did the Town of Autaugaville</p> <p>10 ultimately terminate your employment?</p> <p>11 A. What do you mean?</p> <p>12 Q. Did the Town of Autaugaville fire</p> <p>13 you?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Do you understand why they fired</p> <p>16 you?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Your being fired, does it have</p> <p>19 anything to do with this lawsuit?</p> <p>20 A. No, sir.</p> <p>21 Q. How long did you work at the Town</p> <p>22 of Autaugaville?</p> <p>23 A. From when I was eighteen until I</p>

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<p>1 was twenty-three. So that was like --</p> <p>2 Q. Five years?</p> <p>3 A. Five years.</p> <p>4 Q. Where did you work when you</p> <p>5 received the traffic tickets in</p> <p>6 Autaugaville?</p> <p>7 A. Crystal Lake.</p> <p>8 Q. Did you receive any traffic ticket</p> <p>9 from the City of Autaugaville while you were</p> <p>10 employed by the Town of Autaugaville?</p> <p>11 A. No, sir.</p> <p>12 Q. All of those tickets came after</p> <p>13 you were no longer working at the Town of</p> <p>14 Autaugaville?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Where did you work at before the</p> <p>17 Town of Autaugaville?</p> <p>18 A. I was in school.</p> <p>19 Q. Other than Crystal Lake and the</p> <p>20 Town of Autaugaville, have you ever had any</p> <p>21 other jobs?</p> <p>22 A. I had other jobs. But I didn't</p> <p>23 work there but like a week. So I wouldn't</p>	<p>1 Q. Have you ever received any money</p> <p>2 from the government whatsoever?</p> <p>3 A. Other than my income tax.</p> <p>4 Q. How many children do you have?</p> <p>5 A. One. And I have four -- I've been</p> <p>6 married to one with three kids. So it will</p> <p>7 be four. I've been raising all of them for</p> <p>8 the last three years. So I claim them as</p> <p>9 mine.</p> <p>10 Q. So when you got married, you got a</p> <p>11 family; right?</p> <p>12 A. We're not married yet.</p> <p>13 Q. When you got that girlfriend, you</p> <p>14 got a family?</p> <p>15 A. Right.</p> <p>16 Q. What's the one that's your name?</p> <p>17 A. McKenzie.</p> <p>18 Q. McKenzie Matthews?</p> <p>19 A. Bristol.</p> <p>20 Q. What is the mother's name?</p> <p>21 A. Alma Bristol.</p> <p>22 Q. Who?</p> <p>23 A. Alma.</p>
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<p>1 say I had another job. I was going for a</p> <p>2 week at a time.</p> <p>3 Q. Where were those places?</p> <p>4 A. I worked for a place in</p> <p>5 Prattville. It was called Holidays.</p> <p>6 Q. Any others?</p> <p>7 A. The golf course that was in</p> <p>8 Prattville. What is the name of it? Robert</p> <p>9 Trent Jones. I worked there.</p> <p>10 Q. Any other places?</p> <p>11 A. That's about it. Because when I</p> <p>12 get a job, I try to -- if I like it, I hold</p> <p>13 on to it. Like Crystal Lake. I don't jump</p> <p>14 around. I stay there.</p> <p>15 Q. Have you ever received any type of</p> <p>16 disability payment?</p> <p>17 A. No, sir.</p> <p>18 Q. Have you ever received any</p> <p>19 unemployment compensation?</p> <p>20 A. No, sir.</p> <p>21 Q. Have you ever filed a worker's</p> <p>22 compensation claim?</p> <p>23 A. No, sir.</p>	<p>1 Q. Alma. And what are the names of</p> <p>2 the three other children?</p> <p>3 A. Antonio Hardy, Jr.</p> <p>4 Q. Hardy?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Okay. Who is else?</p> <p>7 A. Dewon Stubbs.</p> <p>8 Q. Okay.</p> <p>9 A. And Laquandra Parker.</p> <p>10 Q. Did they live with you at 484</p> <p>11 North Picket Street?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Where do you live now?</p> <p>14 A. I live at 303 South Picket.</p> <p>15 Q. Do you own that place or do you</p> <p>16 rent?</p> <p>17 A. Rent.</p> <p>18 Q. Who owns that?</p> <p>19 A. Raymond Titus.</p> <p>20 Q. Raymond Titus?</p> <p>21 A. Titus.</p> <p>22 Q. Titus. Are you kin to Raymond</p> <p>23 Titus?</p>

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Page 29	Page 31
<p>1 A. No kin.</p> <p>2 Q. Did he own the place at 484 North</p> <p>3 Picket?</p> <p>4 A. No, sir.</p> <p>5 Q. What are your parents' names?</p> <p>6 A. Janice Seborn.</p> <p>7 Q. Okay.</p> <p>8 A. Glen Matthews.</p> <p>9 Q. How many brothers and sisters does</p> <p>10 Glen Matthews have that live in Autauga</p> <p>11 County?</p> <p>12 A. Brothers and sisters?</p> <p>13 Q. Yes, sir.</p> <p>14 A. I have to count them.</p> <p>15 Q. I'd have to take my shoes off to</p> <p>16 count all mine. But go ahead.</p> <p>17 A. Four that live in Autaugaville.</p> <p>18 Q. What are their names?</p> <p>19 A. Mike, Elijah Jr., Freeman and May</p> <p>20 Lois.</p> <p>21 Q. May Lewis?</p> <p>22 A. May Lois.</p> <p>23 Q. What is May Lois' last name?</p>	<p>1 Q. Is Juanita's last name Joyce or is</p> <p>2 it Juanita Joyce Seborn?</p> <p>3 A. Juanita and Joyce are two</p> <p>4 different people. Juanita is my aunt and</p> <p>5 Joyce is my aunt.</p> <p>6 Q. I'm sorry. What's Juanita's last</p> <p>7 name?</p> <p>8 A. Goson.</p> <p>9 Q. G-O-S-O-N?</p> <p>10 A. Yes.</p> <p>11 Q. What is Joyce's last name?</p> <p>12 A. Motley.</p> <p>13 Q. Does your mother have any brothers</p> <p>14 and sisters that live in about a seventy</p> <p>15 mile area of Montgomery?</p> <p>16 A. No, sir.</p> <p>17 Q. Other than Motley, Goson, Seborn</p> <p>18 and Matthews, do you have any relatives in</p> <p>19 this area with a different last name?</p> <p>20 A. Them all the last names right</p> <p>21 there.</p> <p>22 Q. How old are the children,</p> <p>23 McKenzie, Antonio, Dewon and Laquandra?</p>
Page 30	Page 32
<p>1 A. Seborn. I left out one more.</p> <p>2 Calvin.</p> <p>3 Q. Is Mike's last name Matthews?</p> <p>4 A. Matthews.</p> <p>5 Q. Elijah, Jr. --</p> <p>6 A. Matthews.</p> <p>7 Q. Freeman Matthews?</p> <p>8 A. Matthews. And Calvin Matthews.</p> <p>9 Q. Okay. Does your father have any</p> <p>10 other brothers and sisters that live in a</p> <p>11 seventy mile -- seventy miles of Montgomery?</p> <p>12 A. No, sir.</p> <p>13 Q. How about Janice Seborn, does she</p> <p>14 have any brothers and sisters that live in</p> <p>15 Autauga County?</p> <p>16 A. Yes, sir.</p> <p>17 Q. What are their names?</p> <p>18 A. Juanita, Joyce, Wesley. And</p> <p>19 that's it.</p> <p>20 Q. What's Wesley's last name, Seborn?</p> <p>21 A. Goson.</p> <p>22 Q. Goshen?</p> <p>23 A. G-O-S-O-N.</p>	<p>1 A. McKenzie is four. Antonio is</p> <p>2 three. Dewon is four and Laquandra is</p> <p>3 seven.</p> <p>4 Q. What is McKenzie's birthdate?</p> <p>5 A. McKenzie's birthdate. I've</p> <p>6 forgot. October 29th, 2002. 2004.</p> <p>7 Q. She was born right after a couple</p> <p>8 of these traffic tickets in Autaugaville; is</p> <p>9 that correct?</p> <p>10 A. Yes, she was born after. No. She</p> <p>11 was born before.</p> <p>12 Q. And that's -- I was trying to --</p> <p>13 what I'm trying to do is, sometimes it's</p> <p>14 very difficult to remember dates. So I'm</p> <p>15 trying to --</p> <p>16 A. She was born before.</p> <p>17 Q. -- figure out what happened and</p> <p>18 put those in order.</p> <p>19 A. He was already born.</p> <p>20 Q. Could his birthday be in 2003</p> <p>21 then?</p> <p>22 A. He'll be five this year. Let me</p> <p>23 see. It had to be 2002, ain't it?</p>

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<p>1 Q. 2002?</p> <p>2 A. 2002.</p> <p>3 Q. Because I had one born in 2002 and</p> <p>4 he'll be five this year. So McKenzie was</p> <p>5 born by the time you got your first traffic</p> <p>6 ticket in Autaugaville; is that correct?</p> <p>7 A. He was born --</p> <p>8 Q. He was about two years old at that</p> <p>9 time?</p> <p>10 A. Right.</p> <p>11 Q. Were you with Alma Bristol at that</p> <p>12 time?</p> <p>13 A. When the tickets came?</p> <p>14 Q. Yes.</p> <p>15 A. No, sir.</p> <p>16 Q. Who were you with at that time?</p> <p>17 A. Sally Parker, my other three kids.</p> <p>18 Q. Do you have children with Sally</p> <p>19 Parker?</p> <p>20 A. No, sir.</p> <p>21 Q. But you were with her at the time</p> <p>22 of the traffic tickets?</p> <p>23 A. Yes, sir.</p>	<p>1 Q. Do you know what part of town or</p> <p>2 where about she lives?</p> <p>3 A. She lives in Tulane Court.</p> <p>4 Q. Does McKenzie live with you or</p> <p>5 with Alma?</p> <p>6 A. With Alma.</p> <p>7 Q. And Antonio, Dewon, and Laquandra</p> <p>8 live with you; correct?</p> <p>9 A. That's correct.</p> <p>10 Q. Have you thought of any other</p> <p>11 relatives that live around Montgomery that</p> <p>12 we haven't talked about?</p> <p>13 A. No, sir.</p> <p>14 Q. While you were working at the Town</p> <p>15 of Autaugaville, did you know any of the</p> <p>16 police officers?</p> <p>17 A. Yes, sir.</p> <p>18 Q. Who were the police officers while</p> <p>19 you were working in Autaugaville?</p> <p>20 A. Jay McMichael was the chief. And</p> <p>21 Kevin -- what's Kevin's last name -- McNabb</p> <p>22 was one of the officers.</p> <p>23 Q. Was Michael McCollum working there</p>
Page 34	Page 36
<p>1 Q. What is her address or where does</p> <p>2 she live?</p> <p>3 A. She the same as me.</p> <p>4 Q. Now?</p> <p>5 A. Yes.</p> <p>6 Q. You live with Sally Parker and</p> <p>7 with Alma Bristol?</p> <p>8 A. I'm not with Alma Bristol. I'm</p> <p>9 with Sally Parker. Alma is just McKenzie's</p> <p>10 mother.</p> <p>11 Q. I understand. I had my notes</p> <p>12 backwards. I understand. You're with Sally</p> <p>13 Parker now?</p> <p>14 A. Right.</p> <p>15 Q. You were with Alma Bristol at the</p> <p>16 time of the tickets and that's McKenzie's</p> <p>17 mom?</p> <p>18 A. Right.</p> <p>19 Q. Okay. Where does Alma Bristol</p> <p>20 live now?</p> <p>21 A. Montgomery.</p> <p>22 Q. Do you know her address?</p> <p>23 A. No, sir, I don't.</p>	<p>1 when you were working in Autaugaville?</p> <p>2 A. No, sir.</p> <p>3 Q. How about Donnie Martin?</p> <p>4 A. No, sir.</p> <p>5 Q. How about Wyatt Segers?</p> <p>6 A. I believe Wyatt came right before</p> <p>7 I had got fired.</p> <p>8 Q. How about Britt Wadsworth?</p> <p>9 A. No, sir.</p> <p>10 Q. Was Levan Johnson chief at that</p> <p>11 time or was that after you left?</p> <p>12 A. He came after I left.</p> <p>13 Q. Who was the mayor while you were</p> <p>14 there?</p> <p>15 A. Curtis Jackson.</p> <p>16 Q. Have you ever been involved in an</p> <p>17 automobile accident?</p> <p>18 A. Yes, sir.</p> <p>19 Q. How many?</p> <p>20 A. One.</p> <p>21 Q. Tell me about that accident.</p> <p>22 A. Well, it was on a Sunday morning.</p> <p>23 I goes to the store and I goes around the</p>

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<p>1 block on Picket and come up. I mean, I 2 looked both ways, pulled out in front of a 3 motorcycle. I didn't see him. 4 Q. Did the two -- Was that -- Was the 5 person driving the other car Mary Caroline? 6 A. Yes, sir. 7 Q. Did you know her before the 8 accident? 9 A. No, sir. 10 Q. Have you spoken to her since the 11 accident? 12 A. A couple of times. 13 Q. What have you spoken to her about? 14 A. Trying to help her with the stuff 15 that she needed done around the house. 16 Q. Trying to pay her back for the 17 accident? 18 A. Trying to help a little bit. You 19 know, I didn't have nothing to give her. 20 Q. Did you have insurance at the time 21 of the accident? 22 A. No, sir. 23 Q. Did you have a valid driver's</p>	<p>1 A. Like a hundred dollars a month. 2 Q. And you never made any of those 3 payments? 4 A. I made like -- No, I didn't. I 5 didn't make no payment. When I went to make 6 the payment, something had happened. I 7 can't remember. But I didn't make the 8 payment. 9 Q. Who were the police officers that 10 came to the accident scene? 11 A. That came to the accident scene? 12 Q. Yes, sir. Well, let me back up. 13 Did any police officers come to the accident 14 scene? 15 A. What do you mean, besides the one 16 who wrote me the ticket? 17 Q. Well, let's just go in the way it 18 happened. We have the accident. Somebody 19 calls the police, I assume. Who was the 20 first police officer or law enforcement to 21 arrive? What agency? You don't have to 22 know their names. Who -- 23 A. Autaugaville.</p>
Page 38	Page 40
<p>1 license at the time of the accident? 2 A. No, sir. 3 Q. When's the last time that you have 4 worked for Mary Caroline? 5 A. Oh, I haven't -- I didn't do but 6 one job for her right after the accident. 7 She moved. I don't know where she moved to 8 or nothing. 9 Q. The accident report shows a 912 10 area code. Do you know when she moved? 11 A. No, sir. 12 Q. Did her insurance company ever sue 13 you or contact you in any way? 14 A. They contacted and we made 15 arrangements for me to make a payment to 16 them. 17 Q. Right. Did you pay that? 18 A. No, sir. 19 Q. Her insurance company was 20 Progressive. Did they sue you or did they 21 just call you and you agreed to pay them? 22 A. I agreed to pay them. 23 Q. How much was that?</p>	<p>1 Q. What was on the door when they got 2 there? 3 A. Autaugaville. 4 Q. How many Autaugaville officers 5 showed up? 6 A. One. 7 Q. Who was that; do you know? 8 A. I know him. I just forgot his 9 name. I'm kind of nervous. 10 Q. We'll go through a list. Michael 11 McCollum? 12 A. Who? 13 Q. Michael McCollum, Donnie Martin, 14 Wyatt Segers? 15 A. I think it was Donnie. 16 Q. Do you know what he looked like? 17 A. Yes. He kind of short, shorter 18 than me. Little hair on his head. Looked 19 kind of young. Not young. But I remember 20 he -- I ain't too good with names. 21 Q. And that's okay. I don't want you 22 guessing. If you don't know, don't guess. 23 Did you talk to that police officer from</p>

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<p style="text-align: right;">Page 41</p> <p>1 Autaugaville?</p> <p>2 A. He asked me some questions.</p> <p>3 Q. Do you remember what he asked you?</p> <p>4 A. Asked me what had happened and --</p> <p>5 what else did he ask me. After everything</p> <p>6 was -- you know, the lady had got in the</p> <p>7 ambulance and stuff, he asked me for like</p> <p>8 information on my car.</p> <p>9 Q. What questions did he ask you, did</p> <p>10 you have a driver's license? Did he ask you</p> <p>11 if you had a driver's license?</p> <p>12 A. Did he ask me that? No, he</p> <p>13 didn't.</p> <p>14 Q. Have you ever seen the accident</p> <p>15 report from that accident?</p> <p>16 A. No, sir.</p> <p>17 Q. When you have a suspended license,</p> <p>18 do you actually still have the card itself?</p> <p>19 A. The license?</p> <p>20 Q. The license, yes.</p> <p>21 A. You're supposed to turn them in.</p> <p>22 But I lost mine. So I couldn't turn it in.</p> <p>23 Q. Do you know how he got your</p>	<p style="text-align: right;">Page 43</p> <p>1 Q. -- write checks or stuff like</p> <p>2 that?</p> <p>3 A. Yes. It was the only ID I had.</p> <p>4 Q. About when did you lose your</p> <p>5 license? Bad question. The card itself,</p> <p>6 when did you lose the actual card?</p> <p>7 A. I had it when I was working for</p> <p>8 the Town. So it had to be after I, you</p> <p>9 know, lost my job with the Town. It had to</p> <p>10 be after that because I had it. We had to</p> <p>11 have it with us at all times when I was on</p> <p>12 the job.</p> <p>13 Q. Was the drug charge before or</p> <p>14 after you left the Town of Autaugaville?</p> <p>15 A. Before I came to the Town of</p> <p>16 Autaugaville. I got the charge. Then I got</p> <p>17 the job. So I had to have a job. To even</p> <p>18 go before my judge, I had to have a job.</p> <p>19 Q. Okay.</p> <p>20 A. So I had the job.</p> <p>21 Q. Okay.</p> <p>22 A. You know, make me look better.</p> <p>23 Q. Right. I understand. At the</p>
<p style="text-align: right;">Page 42</p> <p>1 driver's license number?</p> <p>2 A. I probably gave it to him. I</p> <p>3 remembered it at the time. I was still</p> <p>4 using my license. That was a long time</p> <p>5 ago. I don't know.</p> <p>6 Q. He has a driver's license number</p> <p>7 6813021. Is that what you might have told</p> <p>8 him?</p> <p>9 A. It's been a long time. I don't</p> <p>10 know.</p> <p>11 Q. Tell me, you indicated that you</p> <p>12 still had your driver's license at that time</p> <p>13 and you still used it. What did you use it</p> <p>14 for?</p> <p>15 A. My driver's license?</p> <p>16 Q. Right.</p> <p>17 A. Just to show that I had a driver's</p> <p>18 license. They might have been suspended,</p> <p>19 but I had them.</p> <p>20 Q. Right. I'm talking about as</p> <p>21 identification to get in Sam's wholesale, to</p> <p>22 --</p> <p>23 A. Yes, sir.</p>	<p style="text-align: right;">Page 44</p> <p>1 scene of this accident, do you know whether</p> <p>2 or not the police officer knew that the</p> <p>3 driver's license was suspended, your</p> <p>4 driver's license was suspended?</p> <p>5 A. I don't know. I mean --</p> <p>6 Q. And I know you can't read his</p> <p>7 mind. Did he say anything to you about it?</p> <p>8 A. No, sir.</p> <p>9 Q. While you were working for the</p> <p>10 Town of Autaugaville, did you ever drive one</p> <p>11 of their trucks?</p> <p>12 A. Yes, sir.</p> <p>13 Q. But you didn't have a driver's</p> <p>14 license?</p> <p>15 A. When I was with the Town?</p> <p>16 Q. Yes.</p> <p>17 A. My case didn't come through until</p> <p>18 like -- I was at the job like a year or</p> <p>19 two. And even though I lost it, you know,</p> <p>20 at the end -- when I loose my job, that's</p> <p>21 how I lost my license. See what I'm saying.</p> <p>22 Q. And that's one of the things I'm</p> <p>23 trying to do, is trying to put all this</p>

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<p style="text-align: right;">Page 45</p> <p>1 stuff in order.</p> <p>2 A. Okay.</p> <p>3 Q. Let me see if this is right. If</p> <p>4 it's not, tell me. Before you went to work</p> <p>5 for the Town of Autaugaville, you got</p> <p>6 arrested for distribution?</p> <p>7 A. Right.</p> <p>8 Q. Before they sentenced you, you</p> <p>9 went to work for the Town; correct?</p> <p>10 A. Right.</p> <p>11 Q. While you were working for the</p> <p>12 Town of Autaugaville, your license was</p> <p>13 suspended?</p> <p>14 A. Right.</p> <p>15 Q. After your license was suspended,</p> <p>16 did you ever drive any other cars or trucks</p> <p>17 for the Town of Autaugaville?</p> <p>18 A. No. I had another dude that did</p> <p>19 all the driving.</p> <p>20 Q. Did the Town of Autaugaville know</p> <p>21 that you lost your license?</p> <p>22 A. They knew it at the end.</p> <p>23 Q. When you say at the end, what does</p>	<p style="text-align: right;">Page 47</p> <p>1 Q. What kind of car was it?</p> <p>2 A. It was a --</p> <p>3 Q. 1989 Chevrolet?</p> <p>4 A. Corsica, wasn't it? Not a</p> <p>5 Corsica.</p> <p>6 Q. A Beretta?</p> <p>7 A. A Beretta.</p> <p>8 Q. And who did you buy that from?</p> <p>9 A. A lady named Shacara, Shacara</p> <p>10 Davis.</p> <p>11 Q. Does she live in Autaugaville?</p> <p>12 A. Yes, sir.</p> <p>13 Q. And you bought that car how many</p> <p>14 days before the accident?</p> <p>15 A. Oh, about two.</p> <p>16 Q. Did you have a car before then?</p> <p>17 A. No, sir.</p> <p>18 Q. Did you -- Well, if you didn't</p> <p>19 have a car, I don't guess you had car</p> <p>20 insurance, did you?</p> <p>21 A. No, sir.</p> <p>22 Q. Did you ever title the Chevrolet</p> <p>23 Beretta in your name?</p>
<p style="text-align: right;">Page 46</p> <p>1 that mean?</p> <p>2 A. Like probably six months before I</p> <p>3 got fired.</p> <p>4 Q. Okay. And that's -- When the</p> <p>5 Court took your driver's license away, the</p> <p>6 Town of Autaugaville knew it?</p> <p>7 A. I told them.</p> <p>8 Q. Okay. What other questions did</p> <p>9 the police officer ask you at the scene of</p> <p>10 the accident after Ms. Carolyn was taken off</p> <p>11 in the ambulance?</p> <p>12 A. He asked me why didn't I have</p> <p>13 insurance.</p> <p>14 Q. What did you say?</p> <p>15 A. Well, I had just bought the car.</p> <p>16 I told him I had just bought it. And it was</p> <p>17 on the weekend. I bought it that weekend.</p> <p>18 I had showed him all the paperwork.</p> <p>19 He had seen the -- where I had</p> <p>20 bought it and everything. And he told me</p> <p>21 you're not supposed to drive it if you</p> <p>22 didn't have insurance on it. But I didn't</p> <p>23 know that.</p>	<p style="text-align: right;">Page 48</p> <p>1 A. No, sir. It was in my mother's</p> <p>2 name.</p> <p>3 Q. When was it titled in your</p> <p>4 mother's name, before or after the accident?</p> <p>5 A. Right after the accident, that</p> <p>6 Monday.</p> <p>7 Q. Was your car totaled?</p> <p>8 A. No, sir. It just knocked the</p> <p>9 fender off.</p> <p>10 Q. How long did you continue to drive</p> <p>11 the Chevrolet Beretta after the accident?</p> <p>12 A. About a week. It tore up in a</p> <p>13 week. The head blew on it.</p> <p>14 Q. Did you sell that car or do you</p> <p>15 still have it?</p> <p>16 A. I sold it. Junk yard.</p> <p>17 Q. But you're sure it was titled in</p> <p>18 your mother's name?</p> <p>19 A. My mother's name. Had insurance</p> <p>20 on it right after that, too.</p> <p>21 Q. Who did you have insurance with?</p> <p>22 A. Acceptance.</p> <p>23 Q. How did you get -- Well, did your</p>

12 (Pages 45 to 48)

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<p style="text-align: right;">Page 49</p> <p>1 mother have insurance --</p> <p>2 A. Yes, sir.</p> <p>3 Q. -- or did you have insurance?</p> <p>4 A. My mother. She put the car</p> <p>5 insurance in her name. She actually bought</p> <p>6 it and I was supposed to be paying her back</p> <p>7 for buying it.</p> <p>8 Q. What all did the police officer</p> <p>9 say about not having insurance? You told</p> <p>10 him that you just bought the car. He said</p> <p>11 it didn't matter. Did you say anything else</p> <p>12 or did he say anything else?</p> <p>13 A. Nothing else.</p> <p>14 Q. Did you receive any tickets at the</p> <p>15 scene of the accident?</p> <p>16 A. No, sir.</p> <p>17 Q. And you said there was only one</p> <p>18 police officer there; correct?</p> <p>19 A. Yes, sir. From Autaugaville.</p> <p>20 Q. Were there any other police</p> <p>21 officers from any other organization there?</p> <p>22 A. I believe McNabb, he came. He was</p> <p>23 at the County, you know, at the time.</p>	<p style="text-align: right;">Page 51</p> <p>1 the chief came to my house and arrested me</p> <p>2 because I guess I must have had a warrant.</p> <p>3 I don't remember. But I got arrested.</p> <p>4 I don't know what it was, for</p> <p>5 driving with suspended or whatever. But</p> <p>6 that's when they brung me the two tickets.</p> <p>7 Q. The chief and the officer came to</p> <p>8 your house. And which address was that?</p> <p>9 A. 204 Picket.</p> <p>10 Q. What time of day was that?</p> <p>11 A. About seven o'clock in the</p> <p>12 morning, eight o'clock. No later than 8:00.</p> <p>13 Q. And they said you had an</p> <p>14 outstanding arrest warrant?</p> <p>15 A. I can't remember. I think. I</p> <p>16 can't remember.</p> <p>17 Q. They gave you two traffic tickets;</p> <p>18 right?</p> <p>19 A. I know they arrested me.</p> <p>20 Q. They gave you a ticket for not</p> <p>21 having a driver's license?</p> <p>22 A. Right.</p> <p>23 Q. And they gave you a ticket for</p>
<p style="text-align: right;">Page 50</p> <p>1 Q. Okay. A county car was there?</p> <p>2 A. Right.</p> <p>3 Q. Were there any other cars there?</p> <p>4 A. No, sir.</p> <p>5 Q. How long were you actually at the</p> <p>6 scene of the accident?</p> <p>7 A. About an hour.</p> <p>8 Q. Where did you go after the</p> <p>9 accident?</p> <p>10 A. Well, I stayed about from here to</p> <p>11 that road from the accident. So I went to</p> <p>12 the house.</p> <p>13 Q. What was Ms. Carolyn driving?</p> <p>14 A. A motorcycle.</p> <p>15 Q. At what point -- let me back up.</p> <p>16 Did you receive any traffic tickets from</p> <p>17 this accident?</p> <p>18 A. Yes, sir. The next day.</p> <p>19 Q. That would have been on a Monday?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Tell me about receiving those</p> <p>22 tickets.</p> <p>23 A. The guy that did the accident and</p>	<p style="text-align: right;">Page 52</p> <p>1 having no insurance; correct?</p> <p>2 A. Right.</p> <p>3 Q. Do you remember what they arrested</p> <p>4 you for? I just don't have that on my list</p> <p>5 from earlier.</p> <p>6 A. I can't remember.</p> <p>7 Q. Are you sure that you were</p> <p>8 arrested that day?</p> <p>9 A. Yes, sir.</p> <p>10 Q. Where did they take you to?</p> <p>11 A. They took me -- I think they took</p> <p>12 me to the store in Prattville and I got in</p> <p>13 other officer's car. Prattville had a</p> <p>14 warrant out on me. Prattville for</p> <p>15 something. I don't remember. That's what</p> <p>16 happened.</p> <p>17 Q. So it wasn't -- Well, do you know</p> <p>18 what Prattville had a warrant out on you</p> <p>19 for?</p> <p>20 A. I don't remember.</p> <p>21 Q. Could it have been driving while</p> <p>22 license suspended?</p> <p>23 A. I think it was failure to appear.</p>

13 (Pages 49 to 52)

FREEDOM COURT REPORTING

<p style="text-align: right;">Page 53</p> <p>1 Q. Was it failure to appear because 2 of the driver's -- driving while suspended? 3 A. I think so. 4 Q. So it wasn't Autaugaville's 5 warrant that was out, it was Prattville's; 6 correct? 7 A. On that, yes, sir. On that right 8 there. 9 Q. And they just arrested you for 10 Prattville? Did you understand that? 11 A. On that one, I did. 12 Q. Yes. That's what we're talking 13 about, when they brought you the two traffic 14 tickets. 15 A. Right. 16 Q. And that was failure to appear on 17 a charge for driving while you did not have 18 a license; correct? 19 A. Right. 20 Q. So they took you to a store and 21 you got in the Prattville police officer's 22 car? 23 A. Right.</p>	<p style="text-align: right;">Page 55</p> <p>1 license and for no insurance, Chief Johnson 2 was there; correct? 3 A. Yes. Chief Johnson -- I believe 4 he came to me -- yes, sir. 5 Q. What happened with the tickets 6 that you received for this accident, the no 7 insurance and the no driver's license? 8 A. What happened to them? 9 Q. Yes. 10 A. One of them, when I went to court 11 on the court date, they dropped it. Driving 12 while suspended, they dropped it. 13 Q. Do you know why they dropped that? 14 A. No, sir. 15 Q. Do you know whether or not you 16 pled guilty to either one of them? 17 A. I pled guilty to them. The 18 driving while no insurance. 19 Q. Did these tickets affect your 20 probation for the drug charge? 21 A. Did it affect it? 22 Q. I don't know how that works. 23 A. I got in a little trouble.</p>
<p style="text-align: right;">Page 54</p> <p>1 Q. Did they put handcuffs on you? 2 A. Yes. 3 Q. Put you in the back seat? 4 A. Yes, sir. 5 Q. After you got in the Prattville 6 police officer's car, where did you go? 7 A. Jail. 8 Q. At the City jail? 9 A. City jail. 10 Q. How long did you have to stay in 11 the City jail? 12 A. Oh, I got right out that day. I 13 just had to pay the fine. 14 Q. And let me get this straight. You 15 did not receive any traffic tickets at the 16 scene of the accident; correct? 17 A. No, sir. 18 Q. You did not receive any tickets 19 when Chief Johnson was not there; correct? 20 And that may be a bad question. The only -- 21 I'll restate if you want me to. 22 When you received the traffic 23 ticket for driving while having a suspended</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. How did you get in trouble? 2 A. I wasn't supposed to come into 3 contact with any kind of officers while I 4 was probation. 5 Q. They told you to keep your nose 6 clean? 7 A. Right. 8 Q. Who did you get in trouble with, 9 the probation officer? 10 A. Officer Sterns. 11 Q. Who is that? 12 A. He's the probation officer. 13 Q. Who does he work for, Autauga 14 County? 15 A. Autauga County. At the time, he 16 did. I don't know if he's still there. 17 Q. You said the driving while 18 suspended was dismissed? 19 A. Yes, sir. 20 Q. And you pled guilty to the no 21 insurance? 22 A. Yes, sir. 23 Q. Did you miss any court dates for</p>

14 (Pages 53 to 56)

FREEDOM COURT REPORTING

Page 57	Page 59
<p>1 that no proof of insurance charge and have 2 to go back later? 3 A. Did I miss any -- No, sir. I was 4 there. 5 Q. How many times did you have to go 6 to court for the no insurance? 7 A. One time. 8 Q. Since those two traffic tickets, 9 have you received any other tickets in 10 Autaugaville? 11 A. Since what two traffic tickets? 12 Q. The two traffic tickets with the 13 accident. 14 A. Oh, the accident. 15 Q. Ms. Carolyn. And I'm going to 16 represent to you that that accident happened 17 on April 18th, 2004. Does that sound about 18 right? 19 A. Sounds about right. 20 Q. Have you received any other 21 traffic tickets in Autaugaville since April 22 2004? 23 A. Yes.</p>	<p>1 don't know. 2 Q. You don't know whether they were 3 pulling everybody over? 4 A. I don't know. I didn't stay in 5 Autaugaville at the time. 6 Q. Tell me about how the stop 7 happened. Did they get behind you with 8 their lights on or were they parked on the 9 side of the road and just told you to stop? 10 A. When I seen him, he was at the 11 store. When I come off on Picket, he was at 12 the store. I turned on Highway 14 coming 13 west that way. And I turned on County Road 14 13 -- not 13 -- 165. And when I turned on 15 165, he was behind me. 16 Q. Did he have his lights on? 17 A. He had his lights on. 18 Q. Did you have a valid driver's 19 license at that time? 20 A. No, sir. 21 Q. Did you pull over? 22 A. I pulled over. 23 Q. What was the first thing the</p>
Page 58	Page 60
<p>1 Q. How many? 2 A. Two. 3 Q. Tell me about the first one. 4 A. Well, I was driving my Chevy 5 Capella (spelled phonetically) when the 6 officer pulled me over. 7 Q. Do you know who the officer was? 8 A. I can't really remember. I'm not 9 good with names. 10 Q. Can you describe what he looked 11 like? 12 A. Yes, I can. He ain't too big. He 13 was kind of heavy. Not bigger than me, but 14 he was shorter than me. Kind of talkative. 15 Q. What did he pull you over for; do 16 you know? 17 A. I guess he was just suspicious. I 18 mean, I wasn't speeding or anything. 19 Q. Was it a driver's license check? 20 A. That got to be what it had been. 21 Q. They were pulling everybody over, 22 weren't they? 23 A. Not at the time. I don't know. I</p>	<p>1 officer told you or said to you when he came 2 up to your car? 3 A. Asked me for my driver's license 4 and registration. 5 Q. And what did you say? 6 A. Well, I had the registration. I 7 told him I don't have any driver's license. 8 I got them, but they are suspended. 9 Q. What did he say? 10 A. Give me a social security number 11 so I can run a check on you. He didn't say 12 that, but I know what he wanted the social 13 security number for. 14 Q. How did you know that? 15 A. I've been stopped by the police 16 before. 17 Q. After he got your social security 18 number, did he go back to his car? 19 A. Yes, sir. 20 Q. Did you have a license plate on 21 your car at that time? 22 A. A license plate. 23 Q. A tag.</p>

15 (Pages 57 to 60)

FREEDOM COURT REPORTING

Page 61	Page 63
<p>1 A. I can't remember.</p> <p>2 Q. Did he say anything about that,</p> <p>3 that you did not have a tag on your car?</p> <p>4 A. I don't remember.</p> <p>5 Q. Okay. Had you ever met this</p> <p>6 police officer before?</p> <p>7 A. No, sir.</p> <p>8 Q. Did you argue with the police</p> <p>9 officer in any way?</p> <p>10 A. No, sir.</p> <p>11 Q. After he went back to his car and</p> <p>12 then came back to your car, what did you and</p> <p>13 the officer talk about?</p> <p>14 A. He told me to step out of the car,</p> <p>15 he had a warrant for my arrest.</p> <p>16 Q. What was that warrant for?</p> <p>17 A. That drug case I had got we were</p> <p>18 talking about earlier --</p> <p>19 Q. Yes, sir.</p> <p>20 A. -- I had got off probation on it,</p> <p>21 but I hadn't paid all my fines up. They</p> <p>22 wanted to find their money. They issued a</p> <p>23 warrant for me not paying my fine.</p>	<p>1 for what says no tag and given a ticket.</p> <p>2 Well, I don't know when you were given the</p> <p>3 ticket. But they arrested you on another</p> <p>4 Autauga County warrant?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Any other arrests that you can</p> <p>7 remember?</p> <p>8 A. No, sir.</p> <p>9 Q. And when they arrested you for</p> <p>10 this traffic ticket, it was for not paying</p> <p>11 fines for that distribution charge?</p> <p>12 A. Right.</p> <p>13 Q. Did you receive an actual traffic</p> <p>14 ticket that day? And when I say --</p> <p>15 A. Yes, sir.</p> <p>16 Q. -- that day --</p> <p>17 A. From him?</p> <p>18 Q. Yes. From the police officer.</p> <p>19 A. Yes, sir.</p> <p>20 Q. How many Autaugaville police</p> <p>21 officers were present?</p> <p>22 A. Just him.</p> <p>23 Q. Did he ever talk to anybody?</p>
Page 62	Page 64
<p>1 Q. That was the Autauga County</p> <p>2 warrant; correct?</p> <p>3 A. Autauga County.</p> <p>4 Q. Have you ever been actually</p> <p>5 arrested based on an Autaugaville warrant?</p> <p>6 A. No, sir.</p> <p>7 Q. How many times have you been</p> <p>8 arrested?</p> <p>9 A. About three, four times. Three</p> <p>10 times.</p> <p>11 Q. I've got on my notes three. The</p> <p>12 first was, I guess, the distribution charge;</p> <p>13 is that correct?</p> <p>14 A. Uh-huh.</p> <p>15 Q. Is that yes?</p> <p>16 A. Yes, sir.</p> <p>17 Q. And I'm sorry I have to keep doing</p> <p>18 that. She has to get it down. The second</p> <p>19 time was right after the accident where you</p> <p>20 were arrested on the City of Prattville --</p> <p>21 A. Yes, sir.</p> <p>22 Q. -- ticket? The third time that I</p> <p>23 have on my notes is when you were stopped</p>	<p>1 A. Yes, sir. He talked to the man in</p> <p>2 the wrecker when he came to pull my car.</p> <p>3 Q. Do you know if he talked to</p> <p>4 anybody on the radio in his car?</p> <p>5 A. No, sir. He had put me right in</p> <p>6 the car.</p> <p>7 Q. After you gave him your social</p> <p>8 security number, did he go back to the car</p> <p>9 and talk on the radio?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Now, he didn't put you in the car</p> <p>12 at that point, did he?</p> <p>13 A. No, sir.</p> <p>14 Q. He came back up to the car and got</p> <p>15 you?</p> <p>16 A. Right.</p> <p>17 Q. So after you gave him your social</p> <p>18 security number, he was in the car -- his</p> <p>19 own police car talking to somebody; right?</p> <p>20 A. Yes, sir.</p> <p>21 Q. You don't know who that was, do</p> <p>22 you?</p> <p>23 A. No, sir.</p>

16 (Pages 61 to 64)

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Page 65	Page 67
<p>1 Q. And then he came back up to the 2 car and I guess got you out? 3 A. Yes, sir. 4 Q. What time of day was this? 5 A. It was in the evening. It was 6 October. So it was about -- 7 Q. Could it have been in November? 8 A. November? My mom got married. It 9 was the day my mom got married. It was in 10 November the day my mom got married. 11 Q. November the 11th? 12 A. Yes, sir. 13 Q. And that's referenced in the 14 complaint that you filed. That's where I 15 got that date from. 16 A. Yes, sir. 17 Q. November 11th. Do you remember -- 18 Was that before or after the wedding? 19 A. It was -- Like the wedding was 20 fixing to happen when I got there. So it 21 was like before the wedding. I never made 22 it to it. 23 Q. Do you know about what time it</p>	<p>1 you? 2 A. To the County jail. 3 Q. There in Prattville? 4 A. In Prattville. 5 Q. Did he just drop you off or did he 6 have to book you in? How did that work? 7 A. He just dropped me off. They 8 booked me. 9 Q. I mean, it was their warrant; 10 correct? 11 A. Right. 12 Q. What happened with this ticket 13 that we're talking about for not having a 14 driver's license? 15 A. I was paying on it and they put it 16 on hold. 17 Q. Do you know why they put it on 18 hold? 19 A. I don't know. I don't know. I 20 don't know. 21 Q. Did you ever have a failure to 22 appear for this ticket? And the ticket 23 we're talking about is the one that happened</p>
Page 66	Page 68
<p>1 was? 2 A. About six o'clock. It was getting 3 dark. 4 Q. Could it have been about eight 5 o'clock? 6 A. It was getting dark. What time it 7 get dark in November? 8 Q. Well, in November. I don't know 9 what time it gets dark in November. 10 A. I know it was getting dark. 11 Q. I'm not asking you to guess. Just 12 tell me if you know. If you don't know, 13 tell me. 14 A. I don't know the exact time. 15 Q. And this was on Highway 14 near 16 County Road 165? 17 A. 165. 18 Q. Okay. Did any other police 19 officers from anywhere come to the scene of 20 this stop? 21 A. No, sir. 22 Q. After he arrested you, I guess, 23 and put you in his car, where did he take</p>	<p>1 on November 11th, 2005. 2 A. Failure to appear? 3 Q. Yes. I'm just trying to figure 4 out what happened with this ticket. 5 A. I don't know. 6 Q. Okay. 7 A. I don't know. 8 Q. Did you plead guilty? 9 A. Yes, sir. 10 Q. I mean, you didn't have a license, 11 did you? 12 A. No, sir. 13 Q. Did you ever have a lawyer go to 14 court with you on any of these traffic 15 tickets? 16 A. No, sir. 17 Q. When you pled guilty, did you 18 actually go to City Hall or the court house 19 or did you send them your check? How did 20 you do that? 21 A. I went to court. 22 Q. Went to the court and pled guilty 23 and they told you to start making payments?</p>

17 (Pages 65 to 68)

FREEDOM COURT REPORTING

Page 69	Page 71
<p>1 A. Right.</p> <p>2 Q. Did you make all those payments</p> <p>3 until they put it on hold?</p> <p>4 A. I was making payments until they</p> <p>5 put it on hold.</p> <p>6 Q. Do you have any idea why they put</p> <p>7 it on hold? How did you find out that they</p> <p>8 put it on hold?</p> <p>9 A. Which ticket are you talking</p> <p>10 about? I know one ticket got put on hold.</p> <p>11 I'm kind of confused.</p> <p>12 Q. Okay. Well, I don't want you to</p> <p>13 be confused. This is the ticket that you</p> <p>14 got on your mother's wedding day. What</p> <p>15 happened with that ticket?</p> <p>16 I understand that you pled guilty</p> <p>17 when you went to court. Did you pay it or</p> <p>18 what happened?</p> <p>19 A. I don't know. I don't even think</p> <p>20 I paid it. I don't know.</p> <p>21 Q. How many times did you have to go</p> <p>22 to court for the ticket that you got on your</p> <p>23 mother's wedding day?</p>	<p>1 A. Right.</p> <p>2 Q. What happened with that ticket?</p> <p>3 Did you pay it or is that the one that was</p> <p>4 put on hold?</p> <p>5 A. That's one I've got to pay.</p> <p>6 Q. Did you plead guilty for not</p> <p>7 having a driver's license?</p> <p>8 A. Yes, sir.</p> <p>9 Q. At that what you called a road</p> <p>10 block, that license check, were you arrested</p> <p>11 there?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Where were you taken to?</p> <p>14 A. To the Town of Autaugaville.</p> <p>15 Q. Do you know why you were arrested?</p> <p>16 A. I had a warrant for failure to</p> <p>17 appear.</p> <p>18 Q. Failure to appear for that traffic</p> <p>19 ticket on your mother's wedding day; right?</p> <p>20 A. I don't know which traffic</p> <p>21 ticket. I got so many, three or four</p> <p>22 tickets, I don't know which one.</p> <p>23 Q. Where did you say you were taken?</p>
Page 70	Page 72
<p>1 A. Once.</p> <p>2 Q. Have you received any other</p> <p>3 tickets in Autaugaville since your mother's</p> <p>4 wedding day?</p> <p>5 A. One.</p> <p>6 Q. Was that on February 24th, 2006?</p> <p>7 A. February?</p> <p>8 Q. Yes. Well, did you receive</p> <p>9 another ticket since your mother's wedding</p> <p>10 day?</p> <p>11 A. One.</p> <p>12 Q. What was it for?</p> <p>13 A. Driving while suspended.</p> <p>14 Q. Who gave you that ticket; do you</p> <p>15 know?</p> <p>16 A. Yes, sir.</p> <p>17 Q. Who was that?</p> <p>18 A. Chief.</p> <p>19 Q. How many police officers were</p> <p>20 there?</p> <p>21 A. It was a road block. It was the</p> <p>22 majority.</p> <p>23 Q. A driver's license check?</p>	<p>1 A. To the Town.</p> <p>2 Q. Of Autaugaville?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Do you know if it was their</p> <p>5 warrant?</p> <p>6 A. It was their warrant.</p> <p>7 Q. So now we have four arrests, one</p> <p>8 warrant was from Prattville, one was Autauga</p> <p>9 County and that one was from Autaugaville;</p> <p>10 correct?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Could that warrant from</p> <p>13 Autaugaville have been for the traffic</p> <p>14 ticket failure to appear that you received</p> <p>15 on your mother's wedding day?</p> <p>16 A. I can't remember.</p> <p>17 Q. Okay. Have you received any</p> <p>18 traffic tickets from anybody since that</p> <p>19 license check?</p> <p>20 A. No, sir.</p> <p>21 Q. Was it a license check or was it a</p> <p>22 seat belt check or do you know?</p> <p>23 A. I don't know. It was a road</p>

18 (Pages 69 to 72)

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1 block. That's all I know. It was the 3rd
2 of July.

3 **Q. How do you know it was the 3rd of**
4 **July?**

5 A. Because the 4th was the next day.

6 **Q. The 3rd of July of what year?**

7 A. 2006.

8 **Q. Did you do anything special on the**
9 **4th of July that you would remember that?**

10 A. Did I do anything special? Yes,
11 sir.

12 **Q. What did you do?**

13 A. We ate down at my Uncle Mike's
14 house. He's the one that I was talking to
15 the night before that, before I -- Before I
16 got arrested, I was going to his house to
17 have a barbecue. That's how I remember it.

18 **Q. Do you remember receiving any**
19 **traffic ticket in February of 2006 from a**
20 **guy named McCollum?**

21 A. February?

22 **Q. February 24th, 2006. Driving**
23 **while revoked?**

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1 **of questions did the judge ask you?**

2 A. How did I plea on the tickets, on
3 the driving while suspended.

4 **Q. And I think -- thanks for telling**
5 **me that. So the judge asked you how you**
6 **plea; correct?**

7 A. Yes, sir.

8 **Q. And every one of these tickets you**
9 **pled guilty?**

10 A. Yes, sir.

11 **Q. One of the claims in your**
12 **complaint is that you were not treated the**
13 **same as other people. That's what's called**
14 **an equal protection violation.**

15 **Is there any group of people that**
16 **you claim that you were treated differently**
17 **than?**

18 A. I don't understand what you're
19 trying to say.

20 **Q. I know you didn't draft the**
21 **complaint and you're not a lawyer and**
22 **ninety-nine percent of lawyers and me have**
23 **trouble with all these concepts.**

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1 A. That's where I had the warrant for
2 Autaugaville or something.

3 **Q. Okay. Do you know what you're**
4 **suing the Town of Autaugaville police**
5 **officers, Chief Johnson in this lawsuit for?**

6 A. All I know is that I told my
7 lawyer what happened and he wrote the
8 complaint up.

9 **Q. I understand you've got a lawyer.**
10 **What -- Well, strike that. Do you have any**
11 **complaints about the procedures that you**
12 **used in this case like going to court,**
13 **talking to the police officers, pleading**
14 **guilty, do you have any complaints about all**
15 **that?**

16 A. What do you mean?

17 **Q. When you went to court, did they**
18 **tell you you had the right to remain silent**
19 **and all that stuff or did -- strike that.**

20 **When you went to court, did the**
21 **judge explain all this stuff to you?**

22 A. No, sir.

23 **Q. When you went to court, what kind**

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1 **Do you claim there's somebody that**
2 **was treated -- Do you claim that you were**
3 **treated differently than somebody else?**

4 A. On that last ticket I got, when he
5 arrested me and took me to jail --

6 **Q. The one in two 2006.**

7 A. -- I believe -- I mean, he had me
8 sit in that car for so long uncomfortable --
9 I'm a big guy -- in that car, so yes, I
10 believe I was treated differently. Anybody
11 else get in there and go.

12 Take them on where you've got to
13 go. But I had to sit in the car in the hot
14 and heat that long uncomfortable. I felt
15 like I was like in a closet.

16 **Q. Do you think you have been treated**
17 **differently in any other one of these**
18 **tickets?**

19 A. Just that one.

20 **Q. Okay. Were you upset that you**
21 **were stopped on your mother's wedding day?**

22 A. I mean, wouldn't you? Yes, sir.

23 **Q. Did you tell anybody that you held**

19 (Pages 73 to 76)

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<p style="text-align: right;">Page 77</p> <p>1 a grudge against them for that?</p> <p>2 A. I didn't tell them that.</p> <p>3 Q. Did you hold a grudge against</p> <p>4 them?</p> <p>5 A. I didn't hold a grudge. You know,</p> <p>6 I just don't think -- you know, I mean, all</p> <p>7 the times, my mother's wedding? She still</p> <p>8 ain't speaking to me because of that or she</p> <p>9 ain't speaking to me like she would. She</p> <p>10 still faults me for that.</p> <p>11 Q. Well, were you driving without a</p> <p>12 license?</p> <p>13 A. I were. I was.</p> <p>14 Q. And you knew that was wrong;</p> <p>15 right?</p> <p>16 A. Yes, I knew.</p> <p>17 MR. HOWARD: Jim, let us take a</p> <p>18 few minutes break. I think we're about</p> <p>19 done.</p> <p>20 (Whereupon, a short recess was</p> <p>21 taken.)</p> <p>22 Q. Have you ever had any interaction</p> <p>23 with a police officer about a gun being shot</p>	<p style="text-align: right;">Page 79</p> <p>1 A. No, sir.</p> <p>2 Q. Have you spoken to Chief Johnson</p> <p>3 since this lawsuit has been filed?</p> <p>4 A. Have I spoken to him?</p> <p>5 Q. Yes, sir.</p> <p>6 A. That night he had me in the</p> <p>7 handcuffs.</p> <p>8 Q. About how any other times?</p> <p>9 A. That's it.</p> <p>10 Q. How about a month ago when he saw</p> <p>11 you almost about to drive and you sat there,</p> <p>12 got out of the car, then walked over to him</p> <p>13 and spoke to him?</p> <p>14 A. Well, I wasn't about to drive.</p> <p>15 That's where my grandmother stay. You know,</p> <p>16 I got a right to sit in my grandmother's</p> <p>17 yard, don't I?</p> <p>18 Q. You do.</p> <p>19 A. But what happened was --</p> <p>20 Q. Well, I'm not accusing you of</p> <p>21 wrongdoing. Just did you talk to him that</p> <p>22 day?</p> <p>23 A. I talked to him that day.</p>
<p style="text-align: right;">Page 78</p> <p>1 at a snake?</p> <p>2 A. A gun being shot at a snake?</p> <p>3 Q. Yes. I don't even know if you've</p> <p>4 got anything to do with this. Do you know</p> <p>5 anything about that?</p> <p>6 A. I don't remember nothing about a</p> <p>7 gun being shot at no snake. What's that all</p> <p>8 about?</p> <p>9 Q. Well, I don't know. I was asking</p> <p>10 you. Have you ever been arrested for having</p> <p>11 a gun?</p> <p>12 A. No, sir.</p> <p>13 Q. You can't have a gun on your</p> <p>14 probation, can you?</p> <p>15 A. No, sir.</p> <p>16 Q. Has Alma Bristol ever filed a</p> <p>17 claim of domestic violence against you?</p> <p>18 A. No, sir.</p> <p>19 Q. Have you spoken to Michael</p> <p>20 McCollum since this lawsuit was filed? And</p> <p>21 that's one of the police officers. I don't</p> <p>22 think you have, but I just need to ask these</p> <p>23 questions.</p>	<p style="text-align: right;">Page 80</p> <p>1 Q. What did you say to him?</p> <p>2 A. It was about the trash in the</p> <p>3 yard. I was asking about the trash in the</p> <p>4 yard because, you know, they said something</p> <p>5 about some violation for garbage in the</p> <p>6 yard. They give you a fine to pay.</p> <p>7 Q. Right.</p> <p>8 A. I was asking him about that. He</p> <p>9 was watching the yard, said he was watching</p> <p>10 for some young guy selling drugs down</p> <p>11 there. I don't know what it was all about.</p> <p>12 Q. Have you talked to Mayor Jackson</p> <p>13 since the lawsuit has been filed?</p> <p>14 A. No, sir.</p> <p>15 Q. Have you talked to an officer</p> <p>16 named Donnie Martin since the lawsuit has</p> <p>17 been filed?</p> <p>18 A. No, sir.</p> <p>19 Q. What how about Britt Wadsworth?</p> <p>20 A. No.</p> <p>21 Q. How about an officer named Wyatt</p> <p>22 Segers?</p> <p>23 A. No, sir.</p>

20 (Pages 77 to 80)

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<p style="text-align: right;">Page 81</p> <p>1 Q. Earlier you said that you spoke to 2 the chief once and told him that you would 3 drop this case if it was not for your uncle 4 and you said that you were scared when you 5 said that. 6 Are you pursuing this case or is 7 your uncle making you pursue this case? 8 A. I'm pursuing the case. Because 9 like I said -- 10 Q. Would you be doing it on your own 11 if it were not for your uncle? 12 A. I wouldn't have the money to. 13 Q. What does it cost you? 14 A. I don't know. 15 Q. What's your uncle's involvement in 16 this whole situation? 17 A. He feels I was treated not fairly. 18 Q. Has your uncle ever been in 19 politics in Autaugaville? 20 A. Yes, sir. 21 Q. What kind of politics? 22 A. He ran for mayor. 23 Q. Did he win?</p>	<p style="text-align: right;">Page 83</p> <p>1 out what your uncle's involvement in all 2 this is. 3 A. I don't know anything about the 4 law and he know how to get in touch with 5 somebody that know about the law. 6 Q. What all have you and your uncle 7 talked about regarding this lawsuit? 8 A. What do you mean? 9 Q. What all have you told your uncle 10 about this lawsuit and what all has he told 11 you? 12 A. The only thing I did, I told him 13 what had happened. And all he did was told 14 me, you know, that he was going to talk to 15 the lawyer. 16 Q. What did he say he was going to 17 tell the lawyer? 18 A. What had happened. 19 Q. Did he say anything the lawyer 20 told him? 21 A. No, he did not. 22 Q. Did he tell you that if you didn't 23 -- strike that. Does your uncle give you</p>
<p style="text-align: right;">Page 82</p> <p>1 A. No, sir. 2 Q. Is your uncle for or against Chief 3 Johnson that you know of? 4 A. I don't know. 5 Q. Has he ever told you anything 6 about Chief Johnson? 7 A. No, sir. 8 Q. Has he ever said I want Chief 9 Johnson out of there? 10 A. No, sir. He never said it to me. 11 Q. Do you know if he's planning to 12 run for mayor again? 13 A. I don't know that either. 14 Q. You said that you were suing -- 15 your uncle was helping you pursue this 16 lawsuit because of money. What money have 17 you had to pay? 18 A. Money and -- I don't know anything 19 about the law. 20 Q. Does your uncle? 21 A. I mean, he knows to get in touch 22 with a lawyer and try to find out. 23 Q. Okay. I'm just trying to figure</p>	<p style="text-align: right;">Page 84</p> <p>1 any money for anything? 2 A. What do you mean? He's my uncle. 3 Q. Does he pay your bills or help you 4 out in any way? 5 A. If I need him to, he will. 6 Q. When's the last time he did that? 7 A. I don't know. I take care of 8 myself. 9 Q. Did he tell you that he would quit 10 giving you money if you dropped this 11 lawsuit? 12 A. No. He would never tell me 13 anything like that. 14 MR. HOWARD: That's all I've got. 15 EXAMINATION BY MR. DEBARDELABEN: 16 Q. I want to straighten up 17 something. You were arrested July the 3rd, 18 2006; is that correct? 19 A. Yes, sir. 20 Q. And you had handcuffs placed on 21 you; is that correct? 22 A. Yes, sir. 23 Q. Who took you to wherever they took</p>

21 (Pages 81 to 84)

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<p>1 you?</p> <p>2 A. The chief.</p> <p>3 Q. Was there anybody else present?</p> <p>4 A. You talking about --</p> <p>5 Q. Just you and -- When you left --</p> <p>6 A. Oh, no one else.</p> <p>7 Q. -- who was in the car?</p> <p>8 A. No one was.</p> <p>9 Q. Who else?</p> <p>10 A. That's it. Me and the chief.</p> <p>11 Q. Who brought up anything about this</p> <p>12 lawsuit?</p> <p>13 A. The chief was saying something</p> <p>14 about what was going on with it.</p> <p>15 Q. Did he first bring it up?</p> <p>16 A. Yes.</p> <p>17 Q. While you were sitting in the back</p> <p>18 of his police car with handcuffs on you?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Did that frighten you?</p> <p>21 A. Yes.</p> <p>22 Q. Were you afraid for your safety</p> <p>23 being handcuffed and having the chief of</p>	<p>1 you?</p> <p>2 A. I don't know. I don't know. I</p> <p>3 was just being safe for myself.</p> <p>4 Q. You couldn't do anything, could</p> <p>5 you, you had handcuffs on you?</p> <p>6 A. Right.</p> <p>7 Q. Were they behind your back?</p> <p>8 A. I believe they was in front. He</p> <p>9 had them in front.</p> <p>10 Q. Did the chief have a gun at that</p> <p>11 time?</p> <p>12 A. Yes, sir.</p> <p>13 Q. Okay.</p> <p>14 MR. DEBARDELABEN: That's all. I</p> <p>15 have no more.</p> <p>16 EXAMINATION BY MR. HOWARD:</p> <p>17 Q. Did he pull a gun?</p> <p>18 A. No, sir.</p> <p>19 Q. Why were you scared?</p> <p>20 A. I mean, I got -- We're suing this</p> <p>21 guy and, you know, he's the chief.</p> <p>22 Q. What were you scared about? What</p> <p>23 did he do to make you scared?</p>
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<p>1 police you had sued asking you questions</p> <p>2 about your lawsuit?</p> <p>3 A. Yes, sir.</p> <p>4 Q. When you got to -- Where did he</p> <p>5 take you?</p> <p>6 A. To Autaugaville, Town of</p> <p>7 Autaugaville.</p> <p>8 Q. When you got to the Autaugaville</p> <p>9 Town Hall or police station, was there</p> <p>10 anybody else there?</p> <p>11 A. No, sir.</p> <p>12 Q. How long did he keep you in</p> <p>13 handcuffs?</p> <p>14 A. About fifteen, twenty minutes.</p> <p>15 Q. And the entire time he was asking</p> <p>16 you about this lawsuit, did he have</p> <p>17 handcuffs on you?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Is that why you told him you would</p> <p>20 drop it if it wasn't for your uncle, for you</p> <p>21 were afraid?</p> <p>22 A. Yes, sir.</p> <p>23 Q. What did you think he would do to</p>	<p>1 A. I was alone with the guy</p> <p>2 handcuffed. What do you expect.</p> <p>3 Q. Had he ever hit you before?</p> <p>4 A. I don't even know him.</p> <p>5 Q. The chief?</p> <p>6 A. No, I don't know the chief.</p> <p>7 Q. This was the first time you had</p> <p>8 ever talked to him before?</p> <p>9 A. It might not have been the first</p> <p>10 time.</p> <p>11 Q. He had brought you a couple of</p> <p>12 speeding tickets or a couple of traffic</p> <p>13 tickets; right?</p> <p>14 A. Right.</p> <p>15 Q. At that time, did he threaten you</p> <p>16 in any way?</p> <p>17 A. No, sir.</p> <p>18 Q. A month ago when you spoke to him</p> <p>19 about trash, were you scared when you walked</p> <p>20 up and talked to him then?</p> <p>21 A. When I talked to him about the</p> <p>22 trash?</p> <p>23 Q. Yes.</p>

22 (Pages 85 to 88)

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<p style="text-align: right;">Page 89</p> <p>1 A. I wasn't handcuffed.</p> <p>2 Q. Well, I didn't ask you about</p> <p>3 handcuffs. I just asked if you were</p> <p>4 scared.</p> <p>5 A. No. There wasn't anything on me.</p> <p>6 Q. And you walked up to him; right?</p> <p>7 A. He was right across the road</p> <p>8 watching my house.</p> <p>9 Q. Did you walk up to him?</p> <p>10 A. Yes, sir. I wanted to see what</p> <p>11 was going on.</p> <p>12 MR. HOWARD: That's all I've got.</p> <p>13 EXAMINATION BY MR. DEBARDELABEN:</p> <p>14 Q. I want to be clear about July</p> <p>15 3rd. Were there any other Autaugaville</p> <p>16 police officers at that road block where you</p> <p>17 were arrested on July the 3rd?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Were there officers there that you</p> <p>20 didn't have a lawsuit against?</p> <p>21 A. Against?</p> <p>22 Q. Yes.</p> <p>23 A. Yes, sir.</p>	<p style="text-align: right;">Page 91</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF ALABAMA)</p> <p>4 MONTGOMERY COUNTY)</p> <p>5</p> <p>6 I hereby certify that the above</p> <p>7 and foregoing deposition was taken down by</p> <p>8 me in stenotype, and the questions and</p> <p>9 answers thereto were transcribed by means of</p> <p>10 computer-aided transcription, and that the</p> <p>11 foregoing represents a true and correct</p> <p>12 transcript of the testimony given by said</p> <p>13 witness upon said hearing.</p> <p>14 I further certify that I am</p> <p>15 neither of counsel, nor of kin to the</p> <p>16 parties to the action, nor am I in any wise</p> <p>17 interested in the result of said cause.</p> <p>18</p> <p>19</p> <p>20 -----</p> <p>21 CINDY WELDON</p> <p>22</p> <p>23</p>
<p style="text-align: right;">Page 90</p> <p>1 Q. So there were other officers that</p> <p>2 could transport you back to City Hall?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay.</p> <p>5 MR. DEBARDELABEN: That's all.</p> <p>6 EXAMINATION BY MR. HOWARD:</p> <p>7 Q. You said other officers. Who were</p> <p>8 they?</p> <p>9 A. I don't know their names. It was</p> <p>10 -- They had a black guy and probably like</p> <p>11 two or three other white guys.</p> <p>12 MR. HOWARD: That's all I've got.</p> <p>13 MR. DEBARDELABEN: That's all.</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	

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